

# **EXHIBIT A**

October 6, 2023

The Honorable Sarah Netburn  
S.D.N.Y. Thurgood Marshall Courthouse  
New York, NY 10007

Dear Judge Netburn:

I am one of the defendants in this case and respectfully write in response to the plaintiff's request to extend the case past the agreed upon schedule. I think it's important to state, as I have under oath, that I've never read the plaintiff's manuscripts or spoken to my agent or my publisher about them at any time before being notified of the plaintiff's complaint. Even as I write this letter, I still haven't read any of the plaintiff's manuscripts and am distressed and bewildered to be accused of something that I didn't do and wouldn't do. The accusations of copyright infringement go against who I am as a person, a writer, and an English professor and I find them deeply abhorrent.

The longer this lawsuit goes on, the more difficult it becomes for me to write. As the sole support of my children, including one child in college and another who will be starting college soon, this is particularly distressing. Writing is my life's work and my passion—it's all I've ever wanted to do. Throughout my career, I have proudly published over seventy novels and novellas with most of the big five publishers in New York, as well as Entangled. I want nothing more than to continue to write, both for my family and for myself, but this lawsuit has made the act of creating very painful and sad for me.

Furthermore, I have worked very hard over my career to build strong relationships with my fans based on mutual respect. But reader groups are now discussing the lawsuit online, with people saying things like they will never buy another book from me and that they are contemplating selling the books they already own because of this terrible thing they are being told that I've done. Considering so many fans have told me how much my books matter to them and how they've gotten them through difficult times, this is exceptionally painful for me as well as being financially detrimental. Again, I have never read any manuscript or anything else written by the plaintiff (aside from what is in the legal documents) so there is no way I could have copied anything from the plaintiff. The public doesn't know that, though, and my reputation and career are suffering.

Every time I have been asked to do something with regards to this case, I have done it promptly and within the time stipulated by the Court. I have been patiently waiting for the Court to review the first four books of my Crave series in comparison to the plaintiff's manuscript, but the plaintiff continually asks for more and more time, even after time has been extended. The longer this case goes on, the more it negatively affects me, my career, and my family.

If the plaintiff is successful in pushing the deadlines to April, that is another 6 months in which the public will assume that the defendants have done something wrong, I will lose even more opportunities, and continue to struggle to write.

I just wanted to express that the delay requested by plaintiff is having a very tangible, real-world effect on me, and I therefore implore you not to grant the long extension in time that the plaintiff has requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tracy Deeks-Elkenaney". The signature is written in a cursive, flowing style with large, connected loops.

Tracy Deeks-Elkenaney